

Decision 00-09-030 September 07, 2000

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of the State of California,
Department of Transportation, for an order
authorizing the Department to: construct the
Truckee River Bridge and Overhead in Nevada
County (PUC No. A-209.3) over the Union Pacific
Transportation Company's main line tracks
located in Nevada County, State of California

Application 00-03-014
(Filed March 06, 2000)

OPINION

The State of California, Department of Transportation, (Caltrans) requests authority to construct a new bridge and overhead which will be constructed over the Truckee River and the existing Union Pacific Transportation Company's (UPRR) main line track located in Nevada County, State of California. The assigned CPUC number of the Truckee River Bridge and Overhead is A-209.3.

The State of California, acting by and through the California Transportation Commission, is the lead agency for this project and is in agreement with Union Pacific Transportation Company on the work to be performed and apportionment of costs.

The Truckee River Bridge and Overhead are part of a proposed realignment of the existing State Route 267 around the town of Truckee in Nevada County. The purpose of the realignment is to reduce traffic delay and congestion and improve safety in downtown Truckee. A map of the project vicinity is set forth as Appendix A.

The realigned section of Route 267 will have one travel lane in each direction with provisions for future two lanes and 14-foot median. The Truckee River Bridge and Overhead will include two 12-foot lanes; two 8-foot shoulders and railing for total width of 42.9 feet. Temporary construction easements will be required on both sides of the structure. The structure will be 1535 feet in length and will be approximately 85 feet above the UPRR tracks.

The average daily traffic on State Route 80 is 10,600 while the average daily traffic on State Route 267 is 11,500. The average daily train count for this UPRR line is presently 2 passenger trains and 28 freight trains.

The State of California, acting by and through the California Transportation Commission, is the lead agency for this project under the California Environmental Quality Act of 1970 (CEQA), as amended, Public Resource Code Sections 21000, et. seq. After preparation and review of an Environmental Impact Report (EIR), California Transportation Commission approved the project. A Final Environmental Impact Report/Statement (FEIS) was approved by FHWA in April 1992. The Notice of Determination and Record of Decision were issued in July 1992. The project will have a significant effect on the environment, though, mitigation measures were made a condition of approval of the project.

The Commission is the responsible agency for this project under CEQA and has reviewed and considered the lead agency's Final EIR.

The site of the proposed project has been inspected by the Commission's Rail Safety and Carriers Division (RSCD) Rail Crossings Engineering staff. The staff examined the need for and safety of the proposed crossing and recommends that the requested authority be granted.

Application 00-03-014 meets the filing requirements of the Commission's Rules of Practice and Procedure, including Rule 38, which relates to the construction of a public highway across a railroad.

In Resolution ALJ 176-3035 dated March 21, 2000, the Commission preliminarily categorized this application as ratesetting, and preliminarily determined that hearings were not necessary. No protests have been received. The Commission's RSCD recommends that this application be granted. Given these developments, a public hearing is not necessary, and it is not necessary to disturb the preliminary determinations made in Resolution ALJ 176-3035.

This is an uncontested matter in which the decision grants the relief requested. Accordingly, pursuant to PU code Section 311 (g)(2), the otherwise applicable 30-day period for public review and comment is being waived.

Findings of Fact

1. Notice of the application was published in the Commission's Daily Calendar on March 21, 2000. No protests have been filed.
2. Caltrans requests authority, under Public Utilities Code Section 1201-1205, to construct the Truckee River Bridge and Overhead at separated grades over the tracks of the UPRR identified as PUC Crossing Number A-209.3.
3. Public convenience and necessity require the construction of Truckee River Bridge and Overhead in Nevada County.
4. The State of California, acting by and through the California Transportation Commission, is the lead agency for this project under CEQA, as amended.
5. The Commission is a responsible agency for this project and has reviewed and considered the lead agency's Final EIR.

6. The project will have a significant effect on the environment. Mitigation measures were made a condition of approval. These measures include noise impacts, deer migration and protection of wetlands. Earth beams will be constructed to reduce noise in nearby subdivisions. Caltrans will either purchase a parcel of land or a conservation easement to preserve a wildlife corridor. I-80 will be raised 4.5 meters and SR 267 will be raised 3 meters to preserve wetlands. Caltrans will provide off-site mitigation by purchasing credits in a private migration bank.

Conclusions of Law

1. The application is uncontested and a public hearing is not necessary.
2. The application should be granted as set forth in the following order.

O R D E R

IT IS ORDERED that:

1. The State of California, Department of Transportation (Caltrans), is authorized to construct a crossing at separated grades over the Truckee River and the tracks of the Union Pacific Transportation Company (UPRR) in Nevada County at the location as shown on the plans attached to the application, to be identified as Truckee River Bridge and Overhead, PUC Crossing Number A-209.3.
2. Clearances shall be in accordance General Order (GO) 26-D.
3. Walkways shall conform to GO 118. Walkways adjacent to any trackage subject to rail operations shall be maintained free of obstructions and shall be promptly restored to their original condition in the event of damage during construction.

4. Construction and maintenance costs shall be borne in accordance with an agreement to be entered into between the parties. A copy of the agreement shall be filed by Caltrans with the Commission's Rail Safety and Carriers Division (RSCD) prior to commencing construction. Should the parties fail to agree, the Commission will apportion the costs of construction and maintenance by further order.

5. Final construction plans, approved by UPRR, shall be filed by Caltrans with RSCD prior to commencing construction.

6. Caltrans will inform the RSCD Rail Crossings Engineering Section in writing within 30 days of the date of the completion of this project.

7. UPRR will file form "G" within 30 days of the completion of this project.

8. This authorization shall expire if not exercised within three (3) years unless time is extended or if the above conditions are not complied with. Authorization may be revoked or modified if public convenience, necessity, or safety so require.

9. This application is granted as set forth above.

10. Application 00-03-014 is closed.

This order becomes effective thirty (30) days from today.

Dated September 07, 2000, at San Francisco, California.

LORETTA M. LYNCH
President
HENRY M. DUQUE
JOSIAH L. NEEPER
RICHARD A. BILAS
CARL W. WOOD
Commissioners

